

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6786**

**BILL NUMBER:** SB 224

**NOTE PREPARED:** Apr 3, 2005

**BILL AMENDED:** Mar 31, 2005

**SUBJECT:** Human Services Councils.

**FIRST AUTHOR:** Sen. Miller

**FIRST SPONSOR:** Rep Becker

**BILL STATUS:** CR Adopted - 2<sup>nd</sup> House

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
X FEDERAL

**IMPACT:** State

**Summary of Legislation:** (Amended) This bill prevents a member of the Home Health Care Services and Hospice Services Council from: (1) having an ownership interest in; or (2) serving as a voting member on the governing body of; a home health agency or a hospice. The bill removes the prohibition against a member having: (1) a pecuniary interest in; or (2) providing services through employment or under contract for; a home health agency or a hospice.

This bill also establishes the Statewide Independent Living Council. The bill requires the Council to assist the Division of Disability, Aging, and Rehabilitative Services in the preparation of a state plan to provide independent living services and promote the development of a statewide network of centers for independent living. It authorizes state grants for centers for independent living. The bill also requires the Division to review certain centers receiving federal money for compliance with federal law.

**Effective Date:** July 1, 2005.

**Explanation of State Expenditures:** *Home Health Care Services and Hospice Services Council:* This bill revises restrictions placed on qualifications of the individuals appointed to serve on the 16-member Indiana Home Health Care Services and Hospice Services Council. This provision has no fiscal impact.

*Background:* The Council was created by SEA 41-2004 to propose the adoption of rules concerning health and sanitation standards necessary to protect the health, safety, rights, and welfare of home health care and hospice patients; qualifications of applicants for licenses; and to act as an advisory body for the State Department of Health. The Council is required to meet at least 4 times each year. Fourteen members of the

Council are entitled to receive per diem pay, and all members are entitled to necessary travel expenses. The State Department of Health is responsible for staffing the Council.

(Revised) *Statewide Independent Living Council*: The bill establishes the Statewide Independent Living Council, a federally mandated body necessary to receive federal funds. The Council may not be established as an entity of a state agency. The statutorily defined Statewide Independent Living Council will replace the Indiana Council on Independent Living, which was created by executive order.

The bill requires the Statewide Independent Living Council to assist the Division in the preparation of the State Independent Living Plan. This also is a federally mandated activity that is necessary to draw down federal funds under the Independent Living Act, Title VII, Part B. Travel expenses and the salary per diem required in the bill for the minimum 20 members of the Council have been paid in the past from the Independent Living account. The Council has been supported in the past with 90% federal funds and 10% state matching funds. This provision codifies the Council and its associated expenses that previously were authorized by an executive order.

The bill authorizes state grants for centers for independent living but appropriates no state dollars for this purpose. The Division reports there currently are no funds available for this purpose.

The bill also requires the Division to review the seven independent living centers that receive Title VII, Part B, funds on a periodic basis. There are a total of nine independent living centers in the state. The Division reports that three centers are funded mainly from the Part B funds, while four others receive some Part B funding that may also be subject to some state review. The review is also a requirement for claiming the federal money. The Division reports that this activity has not yet occurred although it is required. The Division reports they believe the resources necessary to perform these reviews are available within the existing level of funding. The Division reports the reviews would likely be performed every 3 years.

**Explanation of State Revenues:** (Revised) See the *Explanation of State Expenditures* regarding federal matching funds in the Independent Living, Title VII, Part B, program.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana State Department of Health; Division of Disability, Aging, and Rehabilitative Services, Family and Social Services Administration.

**Local Agencies Affected:**

**Information Sources:** Zach Cattell, Legislative Liaison, Indiana State Department of Health, (317) 233-2170; Mike Hedden, Deputy Director of Vocational Rehabilitation, Division of Disability, Aging, and Rehabilitative Services, 317-232-1523.

**Fiscal Analyst:** Kathy Norris, 317-234-1360.